

UNIVERSITY OF OKLAHOMA OMBUDS OFFICE CHARTER

PURPOSE AND SCOPE OF THE OMBUDS OFFICE

Mission Statement

The University of Oklahoma Ombuds Office exists to facilitate collaborative engagement enabling lasting resolution of conflict, and to help support a healthy campus environment in which individuals can teach, work, learn, live, and respectfully engage with one another.

Overview

The Ombuds Office provides informal, confidential, impartial, and independent assistance to individuals and groups helping them manage conflicts within the University community. The office seeks to engage early and at the lowest level possible minimizing the need to pursue more formal grievance processes or litigation. The Ombuds Office also informs University leadership of potential systemic challenges that are identified in the process of serving students, faculty and staff to aid in maintaining a healthy organizational culture.

The Ombuds is neither an advocate for visitors nor represents University management. Rather, the Ombuds is an advocate for respectful dialogue, fair practices, and mutual understanding.

Responsibilities of the Ombuds Office

The University of Oklahoma Ombuds Office is responsible for the following:

- Conducting outreach and education to the campus community about Ombuds Office services, conflict management, and resolution;
- Providing Ombuds services to eligible constituents;
- Informing University leadership about trends or systemic problems in a manner that protects confidentiality;
- Developing and maintaining administrative procedures for effective and efficient operation of the Ombuds Office.

Constituents Served by the Ombuds Office

The Ombuds Office at The University of Oklahoma serves as a resource for faculty, students, staff, administrators, and post-doctoral fellows, offering a safe, confidential place to talk about campus-related conflicts, disputes, and concerns. Individuals who contact the Ombuds Office but do not belong to one of the constituent groups will be given appropriate referral information to other resources. The Ombuds Office serves constituents on the Norman, OU Health Sciences Center and OU-Tulsa campuses.

STANDARDS OF PRACTICE AND CODE OF ETHICS

The Ombuds Office has established consistent practices and procedures regarding its operation in compliance with the Code of Ethics and the Standards of Practice of the International Ombuds Association. As noted below, it functions independently and confidentially, it remains neutral, and it limits the scope of services to providing informal assistance in conflict management and resolution.

Independence

The University of Oklahoma has established the Ombuds Office within the Office of the President, which allows visitors to voluntarily and confidentially discuss concerns from any area of the University without fear of retribution or ridicule. The Ombuds Office is staffed by the University Ombudsperson, who reports to the Vice President of Executive Affairs in the President's office. The University Ombudsperson is an employee of The University of Oklahoma but does not represent University administration or management. The University Ombudsperson exercises sole discretion over whether and how to act regarding individual matters or systemic concerns, consistent with the terms of authority described below in the "AUTHORITY/LIMITATIONS OF THE OMBUDS OFFICE" section.

Confidentiality

The Ombuds Office will not disclose the identity of a visitor or the substance of confidential or identifiable communication, written, spoken, or otherwise unless the University Ombudsperson:

- receives permission from a visitor to make a disclosure, or;
- determines that there is imminent risk of serious harm, or;
- is compelled or required by law to make the disclosure.

The University of Oklahoma created the Ombuds Office with the understanding that information shared with the ombudsperson is held strictly confidential, unless it falls into one of the above noted exceptions. The Ombudsperson is not considered a mandatory reporter for purposes of the University's obligations under Title IX.

The University fully supports the confidentiality of the Ombuds Office. It encourages parties to voluntarily come forward, confidentially share their concerns, and attempt early and collaborative resolution instead of resorting to prolonged grievances or litigation. The opportunity for a frank and confidential discussion of issues, options, and possible outcomes is necessary to achieve a mutually acceptable outcome.

The Ombuds Office shall not participate in any formal process inside or outside the University, unless compelled to do so by court order or applicable laws.

Neutrality and Impartiality

The Ombuds Office shall always be a neutral and impartial resource and shall not take sides or advocate on behalf of any individual or cause. The University Ombudsperson will impartially consider the interests and concerns of all parties involved in a situation.

Consistent with its position of neutrality, the ombudsperson cannot and will not participate in formal proceedings of the University or the Board of Regents that concern issues visitors have discussed with the Ombuds Office. It will not participate in formal off-campus proceedings unless legally compelled to do so. Furthermore, the ombudsperson shall avoid involvement in matters where there may be a real or perceived conflict of interest, i.e., where the ombudsperson's private interests interfere with the neutrality of the Ombuds Office. When a real or perceived conflict of interest exists, the ombudsperson shall take appropriate action to disclose and/or avoid the conflict. The ombudsperson shall comply with University and Board of Regents' policies related to conflicts of interest.

Informality

The Ombuds Office provides informal assistance to visitors and other involved parties who voluntarily use its services. It does not accept formal complaints, nor does it conduct formal investigations. It will not participate in formal adjudicative processes, outside agency complaints, or lawsuits unless legally compelled to do so. Instead, the Ombuds Office provides visitors with an opportunity to informally collaborate to accomplish mutually acceptable outcomes. As an informal resource, the Ombuds Office is always a voluntary option. It is not a required step in any formal process that is available at the University or through the Board of Regents.

Standards of Practice and Code of Ethics

The University Ombudsperson is a member of [International Ombuds Association](#) and follows its Standards of Practice and Code of Ethics. The mission of the International Ombuds Association is to support and advance the global Ombuds profession and ensure that practitioners work to the highest professional standards.

AUTHORITY/LIMITATIONS OF THE OMBUDS OFFICE

The authority of the Ombuds Office at The University of Oklahoma is both defined and limited in a manner that enables it to best serve the University community. The authority of the Ombuds Office derives from the President of the University.

Authority of the Ombuds Office

1. Providing Services to Visitors

The ombudsperson will listen to each visitor's concerns or questions and then try to tailor a response that is appropriate to the dynamics of each situation. These responses may include providing policy information or referral assistance, identifying and reframing the issues, helping a visitor develop options or a communication strategy, conflict coaching,

shuttle diplomacy, making informal inquiries (with permission of the visitor), facilitating communication, or mediating a dispute. The ombudsperson also can help visitors assess different options for conflict management or resolution.

2. Initiating Informal Inquiries and Accessing Information

The University values early and informal conflict resolution. To pursue this goal, the ombudsperson may, on occasion, need to make inquiries or seek assistance to gain an understanding of all sides of a dispute. University employees and administrators are encouraged to cooperate with these efforts of the Ombuds Office. The ombudsperson shall have appropriate access to non-confidential records and personnel records with the consent of the visitor for the purpose of facilitating informal resolutions. (Any inquiry made by the ombudsperson does not constitute a formal investigation by either the ombudsperson or the University).

3. Addressing Perceived Systemic Trends

The ombudsperson may inquire into adverse trends that the ombudsperson observes or perceives. The ombudsperson may also bring adverse trends to the attention of appropriate University administrators in a manner that protects the confidentiality of individuals who may have shared information with the ombudsperson about such trends.

4. Ending Involvement in Matters

The ombudsperson may decline to participate in a visitor's case or withdraw from it if the ombudsperson believes that involvement in the case would be inappropriate for any reason.

Limitations on the Authority of the Ombudsperson

1. No Authority to Investigate, Adjudicate, Sanction, Change, Bind, or Enforce

The ombudsperson may not conduct formal investigations of any kind, nor is the Ombuds Office authorized to adjudicate disputes, issue findings, or impose remedies or sanctions. The ombudsperson may not make decisions on behalf of the University of Oklahoma, its administrators, or the Board of Regents.

While the Ombuds Office can provide visitors with information and assistance in conflict management, ***visitors are solely responsible for deciding what action they wish to take and for managing their own conflicts***. The Ombuds Office is not authorized to change management decisions or University policies/procedures. The Ombuds Office is not authorized to make any statements or commitments that bind the University or the Board of Regents, financially, contractually, or otherwise.

Neither the Ombuds Office, nor the University, nor the Board of Regents shall be responsible for enforcing any settlement agreement that individuals may reach solely between themselves as a result of information or assistance they received from the

Ombuds Office. This Charter does not affect or impede the University's right to enforce any policy or any agreement to which the University is a party.

2. Not a Recipient of "Notice"

Because the Ombuds Office is designed to be a confidential resource for informal conflict resolution, communication with the Ombuds Office is always "off the record." Therefore, the Ombuds Office is not a recipient or agent of notice about any alleged misconduct. Individuals who wish to comply with the University's various policies on reporting responsibilities may not simply make their allegations known to the Ombudsperson in the belief that such a concern would be passed to other entities. Visitors are always welcome to discuss any type of concern with the ombudsperson, and if they wish to put the University on notice of alleged misconduct, the ombudsperson can provide referral information to the appropriate office.

3. Recordkeeping

Because it is a confidential resource, the Ombuds Office does not keep permanent records about any of its individual visitors. Any recordkeeping or note-taking related to a specific visitor shall only be used as a temporary memory aid or to help informally manage or resolve the visitor's conflict. Records created by the Ombuds Office and related to open cases are kept in the sole possession of the ombudsperson who makes them, will be maintained in a secure manner and location, and will be destroyed consistent with University Records Retention Policy.

The terms of this Charter also apply to Ombuds Office records. The Ombuds Office may also maintain generic data related to the general categories of visitors who seek assistance from the Ombuds Office. Generic data may be used for general purposes such as annual reports. The University's Records Retention schedule shall provide for appropriate management of both generic data and records related to specific cases. The Ombuds Office does not create or maintain "education records" as that term is defined in the Family Educational Rights and Privacy Act (20 U.S.C. 1232g).

4. Not an Advocate or Representative

The Ombuds Office shall remain neutral and ***may not advocate for any party to a conflict.*** Furthermore, the Ombuds Office does not serve as a representative of the University or the Board of Regents.

5. No Professional Counseling

The Ombuds Office may not provide mental health counseling, medical or legal advice, or any other advice that is more appropriately provided by specially qualified or licensed professionals.

INQUIRY AND RETALIATION

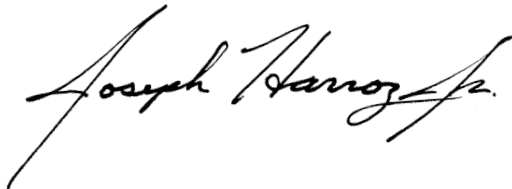
The University supports efforts to manage and resolve conflicts informally, to preserve collegial and effective working relationships, maintain a vibrant University community, and avoid the time and expense required for formal proceedings or litigation. Because the Ombuds Office is intended to be a confidential resource, it is not appropriate to inquire about an individual's use of the Ombuds Office or any communication that may have taken place there. Furthermore, discouraging or preventing faculty, staff, or students from using the Ombuds Office is inappropriate because it is contrary to the University's intent of providing the office as a resource for early and informal management and resolution of conflicts.

While the University supports and encourages the use of the Ombuds Office for conflict management, an individual's use of the Ombuds Office or participation in the process must ALWAYS BE COMPLETELY VOLUNTARY. It is acceptable to remind individuals that the Ombuds Office is available as an option or a resource. However, no one may be ordered or required to visit the Ombuds Office, nor can an individual be punished for not visiting it.

REVISION OR REVOCATION OF THIS CHARTER

This Charter remains in effect unless otherwise revoked by the University President, and such revocation shall be provided in writing to the Ombudsperson. Any revision to this Charter shall be jointly agreed to in writing by both the University President and the Ombudsperson and shall be appended to this document.

November 1, 2022

A handwritten signature in black ink, reading "Joseph Haroz Jr." in a cursive script.